



PATENT APPLICATION
New Docket No.: 301499.1003-001

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Paul Remijan and Denis LaBombard

Application No.: 09/660,840 Filed Date: September 13, 2000

Confirmation No.: 7821 Group: 3739

Examiner: John M. Mulcahy

For: MINIATURE ENDOSCOPE SYSTEM

CERTIFICATE OF MAILING

I Hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231
on 3-19-03 Sharlet Ramsland
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Sharlet Ramsland

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REPLY TO RESTRICTION REQUIREMENT

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APR 02 2003

TECHNOLOGY CENTER R3700

Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the Restriction Requirement dated November 19, 2002, for an election of species for searching purposes, Applicant hereby elects the species as outlined below.

In the Restriction Requirement, the examiner indicated that the application claims directed to multiple patentably distinct species of the claimed invention in several categories including: species of waveguides; species of light absorbing layers; species of endoscope cross section; species of optics cross section; and species of light in image waveguide combinations. It was indicated in the Restriction Requirement that applicant needed to select a single disclosed species from each category above for prosecution on the merits to which the claims would be restricted if no generic claim is found to be allowable.

The applicant selects a glass rod waveguide with an EMA light absorbing layer. A cross section of the endoscope as shown in FIG. 3, is selected, with a circular optic cross- section and separate light and imaging wave guides. In selecting this particular species, claims 1-18, 22-33, 35-39, 51, 52, and 54-69 read upon the species selected.

The undersigned recognizes that upon allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all limitations of an allowed generic claim that is provided by 37 C.F.R. § 1.141.

Applicant reserves the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicant does not hereby abandon or waive any rights in the non-elected inventions.

Extension

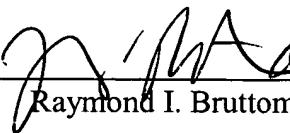
An extension of time to respond to the Restriction Requirement is respectfully requested. A Petition for an Extension of Time and the appropriate fee are being filed concurrently. Any fee credits or deficiencies may be charged to Deposit Account No. 50-1935.

If the Examiner feels that a telephone call would expedite the prosecution of this case, the Examiner is invited to call the undersigned at (508) 416-2473.

Respectfully submitted,

BOWDITCH & DEWEY, LLP

By



Raymond I. Bruttomesso, Jr.

Date: March 19, 2003

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